



MAY 20 2003

MAY 28 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98-385)

PATENT

In re Patent of: Hauptmann et al.

Patent No.: 6,294,352

Issued: September 25, 2001

For: TNF Receptors, TNF Binding

Proteins and DNAs Coding for Them

Before the Examiner:

Group Art Unit: 1647

Certificate of Correction Branch

Commissioner for Patents

Washington, D.C. 20231

Sir:

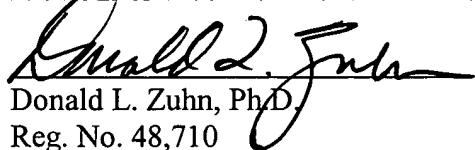
Certificate
MAY 27 2003
of Correction

TRANSMITTAL LETTER

1. We are transmitting herewith the attached papers for the above-described patent:
Request for Certificate of Correction under 37 C.F.R. § 1.322, Certificate of Correction Form PTO-1050, and return postcard.
2. GENERAL AUTHORIZATION TO CHARGE OR CREDIT FEES: Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2490.
3. CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8: The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington D.C. 20231, on May 16, 2003.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Dated: May 16, 2003

By: 
Donald L. Zuhn, PhD
Reg. No. 48,710

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 98-385)

PATENT

In re Patent of: Hauptmann et al.)
Patent No.: 6,294,352) Before the Examiner:
Issued: September 25, 2001) Group Art Unit: 1647
For: TNF Receptors, TNF Binding)
Proteins and DNAs Coding for Them)

Certificate of Correction Branch
Commissioner for Patents
Washington, D.C. 20231

Sir:

REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 C.F.R. § 1.322

Patent No. 6,294,352 has issued with several mistakes in the specification. Patentees' Assignee contends that these mistakes incurred through the fault of the Patent and Trademark Office and that these mistakes are clearly disclosed in the Records of the Office, and therefore, respectfully requests that a Certificate of Correction of Patent and Trademark Office mistake under 37 C.F.R. § 1.322, pursuant to 35 U.S.C. § 254, be issued.

It is contended that Patent No. 6,294,352 should be corrected as follows:

At column 8, lines 50-53: "Tyrosyl residues are iodinated using ^{125}I or ^{131}I to prepare labeled proteins for use in radioimmunoassay, the chloramine T method described above being suitable."

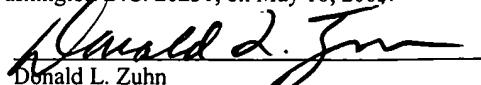
At column 31, lines 49-50: "Glu-Cys-Gl-u-Ser-Gly-Ser-Phe-Thr-Ala-Ser-(Glu/Cys)-Asn-Asn-Lys (cf. Example 5)"

At column 31, line 55: "-Phe-Thr-Ala-Ser-Glu-Asn-Asn-Lys"

At column 32, lines 32-36: "In the case of GCT the possibility that the triplet CGG complementary to GCC (Ala) can be effective by forming a G-T bridge is taken into consideration, while in the case of TCG (Ser) and MAAT (Asn) the same applies with regard to AGT and TTG, respectively."

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington D.C. 20231, on May 16, 2003.


Donald L. Zuhn

At column 38, lines 2-5: "A plasmid obtained after transformation of *E. coli* HB101, with the SV40 ori in the same orientation as the β -lactamase gene and the CMV promotor, was designated pCMV-SV40."

At column 38, lines 33-38: "A plasmid with the desired mutation was prepared as single strand DNA as described above and the PstI site located in the first intron was removed by mutagenesis with the oligonucleotide EBI-1857 (Antisense orientation, 5'-GGCAM4AGGGCAG CAGCCGG-3') from CTGCAG into CTGCTG."

At column 39, lines 8-16: "The multicloning site formed from the two oligonucleotides EBI-1823 (5'-AGCTTCTGCAGGTGACATCGATGGATCCGGTACCTCGAGCGGCCGCG AATTCT-3') and EBI-1829 (5'-CTAGAGAMATCGCAGGCCGCTCGAGGTACCGGATCCA TCGATGTCGACCTGCAGA-3'), contains, including the ends which are compatible for cloning in HindIII-XbaI, restriction cutting sites for the enzymes PstI, Sall, Clal, BamHI, KpnI, XhoI, NotI and EcoRI."

At column 39, lines 35-43: "In the same way, the expression plasmid pAD-CMV2 which contains the restriction cutting sites within the multicloning site in the reverse order was obtained with the oligonucleotide pair EBI-1820 (5'-AGCTCTAGAGAATTGCGGGCCGCTCGAGGT ACCGGATCCATCGATGTCGACCTGCAGAAGCTT-3') and EBI-1821 (5'-CTAGCAAGC TTCTGCAGGTGACATCGATGGATCCGGTACCTCGAGCGGCCGCGAATTCTCTAG-3')."

At column 40, lines 32-39: "100 ng of plasmid pTNF-BP15 linearized with XmnI (see Example 11) were amplified with 50 pmol of oligonucleotides EBI-1986 (Sense, 5'-CAGGATCCGAGTCTCAACCCTCAAC-3') and EBI-1929 (Antisense, 5'-GGGAATTCTTATCMAATTCTCMAATCTGGGGTAGGCACMAACTTC-3'; insertion of two stop codons and an EcoRI site) in a 100 μ l PCR mixture over 10 cycles."

At column 40, lines 41-43: "After the last cycle incubation was continued for a further 7 minutes at 72° C. and the reaction was stopped by extracting with phenol chloroform."

At column 41, lines 1-9: "By means of the oligonucleotide EBI-2452 (5'-CACAGTCGA CTTACATTGCTTCTGACACAACTGTGTTCACTAGCMAACCTCAAACAGACACCATG GGCCTCTCCACCGTGC-3'), which contained after a Sall restriction cutting site the authentic 5'-noncoding sequence, corresponding to the human β -globin mRNA sequence, followed by 20 bases of the coding region of TNF-BP, the TNF-R sequence was modified in a PCR."

At column 45, lines 10-13: "For transient expression 5-10x10⁷ COS-7 cells were incubated for 40 minutes with 10 μ g of pADTNF-R plasmid DNA in a solution containing 250 μ g/ml of DEAE dextran and 50 μ g/ml of chloroquin."

The text indicated above by underline, which appeared in the specification as originally filed, was omitted in the issued patent, and the text indicated above by strikethrough, which did not

appear in the specification as originally filed, was added to the issued patent. Patentees' Assignee, therefore, respectfully requests that the following corrections be made:

At column 8, line 51, delete "131I" and insert therefor --¹³¹I--.

At column 31, line 49, delete "Glu-Cys-Gl u-Ser-Gly-Ser-Phe-Thr-Ala-Ser-(Glu/Cys)-" and insert therefor --Glu-Cys-Glu-Ser-Gly-Ser-Phe-Thr-Ala-Ser-(Glu/Cys)---.

At column 31, line 55, delete "-Phe-Thr-Ala-Ser-Glu-Asn-ASn-Lys" and insert therefor --Phe-Thr-Ala-Ser-Glu-Asn-Asn-Lys--

At column 32, line 35, delete "MAT" and insert therefor --AAT--.

At column 38, line 3, delete "HB11" and insert therefor --HB101--.

At column 38, line 37, delete "GGCAMGGCAGCAGCCGG-3')" and insert therefor --GGCAAGGGCAGCAGCCGG-3')--.

At column 39, line 12, delete "CTAGAGAMTCGCGGCCGCTCGGGTACCGGA" and insert therefor --CTAGAGAATTCGCGGCCGCTCGAGGTACCGGA--.

At column 39, line 38, delete "oiigonucleotide" and insert therefor --oligonucleotide--.

At column 40, lines 37-38, delete "5'-GGGAATTCTTATCMTTCTCMTCTGGGGTA GGCACMCTTC-3'" and insert therefor --5'-GGGAATTCTTATCAATTCTCAATCTGGGG TAGGCACAACCTTC-3'--

At column 40, line 41, delete "72° C. ani" and insert therefor --72° C and--.

At column 41, lines 1-4, delete "(5'-CACAGTCGACTTACATTGCTTCTGACACAA CTGTGTTCACTAGCMCCTAAACAGACACCATGGGCCTCTCCACCGTGC-3')" and insert therefor --(5'-CACAGTCGACTTACATTGCTTCTGACACAACTGTGTTCACTAGCA ACCTCAAACAGACACCATGGGCCTCTCCACCGTGC-3')--

At column 45, line 13, delete "250 µg/mi" and insert therefor --250 µg/ml--.

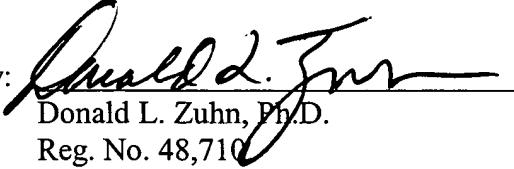
Included herewith is a Certificate of Correction form (PTO/SB/44; Form PTO-1050) containing the text of these corrections.

Patentees' Assignee further contends that Patent No. 6,294,352 is not involved in an interference and that the nature of the mistakes are such that the Office should deem a Certificate of Correction, in this instance, appropriate. It is, therefore, respectfully requested that a Certificate of Correction stating the fact and nature of the mistakes be issued.

Patentees' Assignee does not believe any additional fee is required. However, the Commissioner is authorized to charge any deficiency to Deposit Account No. 13-2490.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Dated: May 16, 2003

By: 
Donald L. Zuhn, Ph.D.
Reg. No. 48,710

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,294,352 B1
DATED : September 25, 2001
INVENTOR(S) : Rudolf Hauptmann et al.

Page 1 of 2

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 8,

Line 51, delete "131I" and insert therefor -- ¹³¹I --.

Column 31,

Line 49, delete "Glu-Cys-Gl u-Ser-Gly-Ser-Phe-Thr-Ala-Ser-(Glu/Cys)-" and insert therefor -- Glu-Cys-Glu-Ser-Gly-Ser-Phe-Thr-Ala-Ser-(Glu/Cys)- --.

Line 55, delete "-Phe-Thr-Ala-Ser-Glu-Asn-Asn-Lys" and insert therefor -- -Phe-Thr-Ala-Ser-Glu-Asn-Asn-Lys --

Column 32,

Line 35, delete "MAT" and insert therefor -- AAT --.

Column 38,

Line 3, delete "HB11" and insert therefor -- HB101 --.

Line 37, delete "GGCAMGGGCAGCAGCCGG-3')" and insert therefor -- GGCAAGGGCAGCAGCCGG-3') --.

Column 39,

Line 12, delete "CTAGAGAMTCGCGGCCGCTCGGGTACCGGA" and insert therefor -- CTAGAGAATTGCGGCCGCTCGAGGTACCGGA --.

Line 38, delete "oiigonucleotide" and insert therefor -- oligonucleotide --.

Column 40,

Lines 37-38, delete

"5'-GGGAATTCTTATCMTTCTCMTCTGGGGTAGGCACMCTTC-3'" and insert therefor -- 5'-GGGAATTCTTATCAATTCTCAATCTGGGGTAGGCACAACTTC-3' --

Line 41, delete "72° C. ani" and insert therefor -- 72° C and --.

Column 41,

Lines 1-4, delete "(5'-CACAGTCGACTTACATTGCTTCTGACACA
ACTGTGTTCACTAGCMCCTCAAACAGACACCATGGGCCTCTCCACCGTG-3')"
and insert therefor --

(5'-CACAGTCGACTTACATTGCTTCTGACACA
ACTGTGTTCACTAGCMCCTCAAACAGACACCATGGGCCTCTCCACCGTG-3') --

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT NO. : 6,294,352 B1
DATED : September 25, 2002
INVENTOR(S) : Rudolf Hauptmann et al.

Page 2 of 2

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Column 45,

Line 13, delete "250 □g/mi" and insert therefor -- 250 □g/ml --.

Signed and Sealed this

Ninth Day of September, 2003



JAMES E. ROGAN
Director of the United States Patent and Trademark Office

UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO.: 6,294,352 *SP1*

DATED: September 25, 2001

INVENTOR(S): Rudolf Hauptmann, *et al.* ~~Adolf Hitler, Ingrid Mauer-Fogy, and Christian Stratowa~~

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

At column 8, line 51, delete "131" and insert therefor --¹³¹I--. *C*

At column 31, line 49, delete "Glu-Cys-Gl u-Ser-Gly-Ser-Phe-Thr-Ala-Ser-(Glu/Cys)-" and insert therefor --Glu-Cys-Glu-Ser-Gly-Ser-Phe-Thr-Ala-Ser-(Glu/Cys)---. *C*

At column 31, line 55, delete "-Phe-Thr-Ala-Ser-Glu-Asn-ASn-Lys" and insert therefor --Phe-Thr-Ala-Ser-Glu-Asn-Asn-Lys--. *C*

At column 32, line 35, delete "MAT" and insert therefor --AAT--. *C*

At column 38, line 3, delete "HB11" and insert therefor --HB101--. *C*

At column 38, line 37, delete "GGCAMGGGCAGCAGCCGG-3')" and insert therefor -
-GGCAAGGGCAGCAGCCGG-3')--. *C*

At column 39, line 12, delete "CTAGAGAMTTCGCGGCCGCTCGGGTACCGGA" and insert therefor --CTAGAGAATTCTCGCGGCCGCTCGAGGTACCGGA--. *C*

At column 39, line 38, delete "oligonucleotide" and insert therefor --oligonucleotide--. *C*

MAILING ADDRESS OF SENDER:

PATENT NO. 6,294,352

Donald L. Zuhn, Jr.
McDonnell Boehnen Hulbert & Berghoff
300 South Wacker Drive, 32nd Floor
Chicago, Illinois 60606

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UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO.: 6,294,352

DATED: September 25, 2001

INVENTOR(S): Rudolf Hauptmann, Adolf Himmler, Ingrid Maurer-Fogy, and Christian Stratowa

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

At column 40, lines 37-38, delete "5'-GGGAATTCTTATCMTCTCMCTGGGGT AGGCACMCTTC-3'" and insert therefor --5'-GGGAATTCTTATCAATTCTCAATCTGG GGTAGGCACAACTTC-3'--

At column 40, line 41, delete "72° C. ani" and insert therefor --72° C and-- C

At column 41, lines 1-4, delete "(5'-CACAGTCGACTTACATTGCTTCTGACACA ACTGTGTTCACTAGCMCCTCAAACAGACACCATGGGCCTCTCCACCGTGC-3')" and insert therefor --(5'-CACAGTCGACTTACATTGCTTCTGACACAACGTGTTCACTAGC AACCTCAAACAGACACCATGGGCCTCTCCACCGTGC-3')--

At column 45, line 13, delete "250 □g/mi" and insert therefor --250 □g/ml--.

MAILING ADDRESS OF SENDER:

PATENT NO. 6,294,352

Donald L. Zuhn, Jr.
McDonnell Boehnen Hulbert & Berghoff
300 South Wacker Drive, 32nd Floor
Chicago, Illinois 60606

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